GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

STARRED QUESTION NO:108
ANSWERED ON:01.03.2001
STRENGTH OF JUDGES
CHANDRA VIJAY SINGH;V.M. SUDHEERAN

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Law Commission had recommended 50 judges per million population in its earlier reports;

(b) if so, the number of judges at present per million population;

(c) whether the Government propose to review the strength of judges in different courts;

(d) if so, the details thereof;

(e) whether the shortage of judges, absence of necessary infrastructure such as buildings, staff and equipment and unfilled vacancies were identified as the major cause for the pendency of cases; and

(f) if so, the corrective measures taken by the Government in this regard?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) to (f): Statement is laid on the Table of the House.

STATEMENT IN REPLY TO LOK SABHA STARRED QUESTION NO. 108 DATED 1.3.2001

(a) Yes, Sir.

The Eleventh Law Commission in its 120th Reporthad, inter alia recommended that the present strength of 10.5 judges per million population be increased to 50 judges per million population.

(b) At present, there is a sanctioned strength of about 13 judges per million population.

(c)&(d) According to the Supreme Court (Numberof Judges) Amendment Act, 1986, the sanctioned strength of the Supreme Court of India is 26 Judges, including the Chief Justiceof India. Thereafter, no proposal has been received from the Chief Justice of India for increasing the Judge strength of the Supreme Court of India.

The judge strength in High Courts is reviewed once in three years. The last such review was held during 1999. Accordingly, as on February 15, 2001, the revised sanctioned strength of judges in various Hgh Courts was 647 Judges/Additional Judges.

In so far as the matter relating to subordinate judiciary is concerned, their judge strength is determined by the State Governments in consultation with their respective High Courts.

However, pursuant to the XIthFinance Commission`s recommendation, a n amount o f Rs.502.90 crore has been sanctioned for creation of 1,734 additional courts i n the country to substantially bring down the pendency of cases in the district and subordinate courts over the next five years.

(e)&(f) Pendency of cases in different courts is arising from various complex factors. These, inter-alia, include non-filling u p of vacancies of judges, inadequate judge strength, inadequate infrastructure of buildings, staff and equipments, increased institution of cases on account of awareness of the rights on the part of the citizens, enactment of numerous laws, radical change in the pattern of litigation, frequent adjournment of cases, rise in population, lawyers` strike etc as some of the major causes.

Various steps are taken from time to time for filling-up of vacancies at various levels of the judiciary by the concerned authorities.

A Centrally Sponsored Scheme relating todevelopment of infrastructural facilities for the Judiciary i.e. construction of court buildings and residences o f judges, provision of computers etc., covering the High Courts and the District/SubordinateCourts is being implemented from 1993-94 under which an amount of Rs. 800.00 crore (approximately) has been spent so far.

ANNEXE-I

State-wise break-up of additional courts

Sl. No.	Name of the State	No. of courts
1.	Andhra Pradesh	86
2.	Arunachal Pradesh	5
3.	Assam	20
4.	Bihar	183
5.	Chhattisgarh	31
6.	Goa	5
7	Gujarat	166
8.	Haryana	36
9.	Himachal Pradesh	9
10.	Jammu & Kashmir	12
11.	Jharkhan	89
12.	Karnataka	93
13.	Kerala	37
14.	Madhya Pradesh	85
15.	Maharashtra	187
16.	Manipur	3
17.	Meghalaya	3
18.	Mizoram	3
19.	Nagaland	3
20.	Orissa	72
21.	Punjab	29
22.	Rajasthan	83
23.	Sikkim	3
24.	Tamil Nadu	49
25.	Tripura	3
26.	Uttar Pradesh	242
27.	Uttaranchal	45
28.	West Bengal	152

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